

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case Number 14-20119

v.

Honorable Nancy G. Edmunds

EVAN ALEXANDER JOHNSON,

Defendant.

/

**ORDER GRANTING DEFENDANT'S MOTION FOR REFUND OF  
SPECIAL PENALTY ASSESSMENT [582]**

On August 24, 2015, Defendant Evan Alexander Johnson was convicted of RICO conspiracy in violation of 18 U.S.C. § 1962(d) and possession of a firearm in furtherance of a crime of violence in violation of 18 U.S.C. § 924(c). Judgment was entered on April 12, 2016. (ECF No. 450.) As part of Defendant's sentence, he was ordered to pay a special penalty assessment of \$200 consisting of \$100 for each count on which he was found guilty. See *id.* On May 1, 2019, Defendant filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255. (ECF No. 543.) The motion was granted in part and denied in part and the Court entered a corrected judgment vacating Defendant's sentence on the firearms charge. (ECF No. 578, 579.) Consequently, the special penalty assessment was reduced by \$100 in an amended judgment. (ECF No. 579.)

On December 1, 2020, the Court received a letter motion from Defendant requesting a refund of the \$100 he claims he paid before his judgment was amended. (ECF No. 582.) The Court was able to verify a total payment from Defendant in the

amount of \$200. Accordingly, Defendant's motion is GRANTED and IT IS HEREBY ORDERED that the Clerk of Court shall refund \$100 to Evan Alexander Johnson, 17477-032, located at F.C.I. Berlin, P.O. Box 9000, Berlin, NH 03570.

Dated: January 13, 2021

s/ Nancy G. Edmunds  
Hon. Nancy G. Edmunds  
U. S. District Judge